

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KENNETH RUDGE,

Petitioner,
-against-

20-CV-3996 (KMW)
16-CR-311 (KMW)

UNITED STATES OF AMERICA,

ORDER

Respondent.

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KIMBA M. WOOD, United States District Judge:

The chief psychologist of the Metropolitan Detention Center, Los Angeles (“MDC-LA”) recently wrote the Court to request an extension of time, until December 13, 2021, to conduct a psychological examination of Kenneth Rudge, who is incarcerated at MDC-LA. This examination has been ordered to assist the Court in determining whether Mr. Rudge was competent to have entered a guilty plea and otherwise to proceed in matters regarding his pending habeas petition.

There have been a series of delays in completion of this examination. The Court ordered on June 29, 2021 that Mr. Rudge be examined within thirty days of his designation to a suitable BOP facility. In response to a September 16, 2021 Order requesting updates on compliance by the Bureau of Prisons and defense counsel with the terms of the June Order, the Warden of MDC-LA requested an extension of time until October 28, 2021 to complete the examination and report. The Court granted this extension request.

Mr. Rudge arrived at MDC-LA on August 27, 2021 and was medically cleared on September 14, 2021 following quarantine necessitated by protocols instituted in response to the COVID-19 pandemic. The Court greatly appreciates the expeditious completion of this

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examination and report by MDC-LA staff, as further action in this proceeding awaits submission of the report.

This examination and report should be completed without regard to whether Mr. Rudge is due to be transported to the Southern District of New York or any other location.

The request for a second extension of time to complete the ordered examination and report is GRANTED. The psychological examination of Mr. Rudge and report shall be completed and submitted to the Court and the parties by December 13, 2021. No further extensions are likely to be granted.

SO ORDERED.

Dated: New York, New York
December 1, 2021

/s/ Kimba M. Wood
KIMBA M. WOOD
United States District Judge